

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKAIN The UNITED STATES DISTRICT COURT
FOR The DISTRICT OF Nebraska
11 NOV -1 AM 11:26
OFFICE OF THE CLERK

United States

Case No. 09-CR-457

V

Motion To Dismiss ~~████~~ Post-Trial AND
Request for FINDINGS
Of Fact UNDER F.R.C.P. 12 D

Shannon Williams

Comes Now Shannon Williams AND RESPECTFULLY moves
this for A Post-Trial Dismissal of the SUPERCEDEING indictment

From the EVENTS AND SWORN testimony of the defendoant's
April 2011 Trial, the court in the discharge of it's sworn
duty to uphold the UNITED STATES Constitution AS to the
defendoants Fourth, Fifth AND Sixth AMENOMENT Rights.

The defendoant moves the court UNDER FED. R. Crim P. 12(d)
to issue findings of fact INSTEAD OF ARBITRARY SUMMARY
dismissal of the AVERMENTS sworn to UNDER OATH by the
GOVERNMENTS OWN WITNESSES. Of course the embarrassment
AND disrepute bought on the judicial system is best BURIED
AND IGNORED but ONLY AT the EXPENSE the CONSTITUTION...

The testimony At the trial directly CONTRADICTED the
district courts EARLIER findings denying the pre-trial

motion to dismiss. (see filing 667)

The defendant first would like to take up the pleadings in filing #667, that the court has STEADFASTLY REFUSED to ADDRESS:

1. That the PAID ATTORNEY Haddock \$53,000.00 TO LIE AND MISREPRESENT the scope of Attorney Haddock's employment to Williams, his family & friends, Douglas County jailers AND the general public. Common SENSE dictates Haddock's lies have to be attributed to the government. At least as of April 22, 2009 but truly since lead investigator Stuck ORDERED Haddock to take his phone to the county-jail in October 2008

A.) At Trial tr. 2143:14-16, Mr. Haddock did you lie to me OR make misrepresentations about getting my nephew out of jail? I won't argue with that characterization, NO.

B.) At trial tr. 2153:11-17 Q. Well, why did you say if it EVER come up to the bar you just want me to be able to say that I come down as an attorney because I was an attorney? You KNEW that this wasn't a matter that was going to be before the bar, correct Mr. Haddock?

A. No, sir. At that moment I was just trying to convince you of why I was bringing a phone into the jail. I, mean, it was just talk. I didn't have any belief that this would go to the bar association, NO.

(2)

C. At Trial TR. 2230:5-8, Q. AND when you use your bar card, Mr. Haddock are you acting in your official capacity?

A. I WAS ACTING in my official capacity to enter the jail, yes, sir.
At Trial TR. 2230:21-23 Q. So you made representations to the jailers that I was your client, correct?

A. YES.

How does AN officer of this court get away with outright fraud in his official duties, by the GOVERNMENT PAYING Haddock to lie? How is that misconduct NOT ATTRIBUTED TO THE GOVERNMENT? IF the GOVERNMENT IS NOT RESPONSIBLE for the ACTIONS of Attorney Haddock by paying him to lie in his official capacity? How is the DEFENDANT guilty of conspiracy? Is it NOT the same premise?

2. The court ruled that THE DEFENDANT initially sought out Haddock to exploit Haddock's ability to smuggle A phone into D.C.C. This could not be further from the truth AND the exact opposite of what the evidence has revealed. August TRIAL TRANS 310:14-21 Me AND TERRY had talked about it and Shannon Williams knew that TERRY was coming down there to let me use the phone, of course, because when I was out & I was in jail I was calling him and I had referred Shannon to TERRY,
 3 knowing that TERRY would let Shannon use the phone

Q. So you told Terry this idea OK...

A. Yes, I mentioned it to him. We talked it over.

Q. All right. Do you know what happened as a result of you conversing with him about that?

A. Well, I think Terry went back and conversed with John about it and they went through the proper

Tr. 311:1 channels and think they ended up getting Shannon his own phone?

Later at 311:7-16

Q. Did you talk to Williams about Mr. Haddock bringing a phone into the jail?

A. Yes.

Q. What was that conversation?

* A. Well, I--I told him it'd be easy, you know, to make calls and things that nature without someone listening to him if Terry did it, you know Terry would do it. He was -- you know, I could get pictures and Terry could get a picture of girls and things of that nature, **SO I CONVINCED HIM THAT TERRY COULD DO IT FOR HIM ALSO.**

How could the court on Doc # 723 - Page I.D. # 4107 IGNORE THE GOVERNMENT AGENT/WITNESS CONWAY'S TESTIMONY OF THE IDEA ORIGINATING WITH HIM AND HADDOCK AND HAVING TO CONVINCE ME LATER TO

4 USE HADDOCK'S PHONE? AT April Trial Tr. 3058:3-5

Again testified that it was true Conway sought out Haddock to smuggle a phone and had to convince me to use Haddock's phone. The court should note Conway testified in December at (1359:17-1360:11) that Haddock was bringing & recording the defendant to benefit Conway. Which is the strangest of agreements implicating Equal protection Rights that has been ignored.

Further in filing #723 on page #4107 THE COURT FOUND THAT THE DEFENDANT ENLISTED Attorney Haddock in the Mango Creek money laundering plan and the transportation of drug money from Arizona to Nebraska.

Again the record at 1764:2-24, But I am asking you, I guess, Mr. Haddock was it your idea to advise Mr. Williams and Ms. Hernandez to open up the construction account?

A. A checking account yes, sir.

At 1815-16:21-25 What was your reason for suggesting that E-ZONE construction company be opened

A. Well, part of the problem was to identify properties that was being purchased. And my suggestion was that if they had had a construction company or checking account that they'd be writing checks for this material.

Q. A way to launder their money.

A. That's correct.

5 This was at the December hearing testimony. It only got far worse for the incredulous notion that I sought

out Attorney Haddock for anything other than legitimate legal work at the trial.

At 2168:16-25 Attorney Haddock's own powerful testimony once & for all exposed the fallacy of this entire investigation.

Williams Q. Did you hear yourself on the tape that time, Mr. Haddock?

A. Yes, Sir.

Q. Did you hear me say, Mr. Haddock, I'm the one that says no, say no to all the things you offered to do?

A. Yes, Sir.

Q. Tell the Jury what things you've offered to do for me, Mr. Haddock, that I've said no to.

HADDOCK-A. I HAD OFFERED TO DRIVE MONEY DOWN TO ARIZONA OR BRING -- OR BRING DRUGS BACK AND YOU HAD SAID NO -- UP UNTIL THAT TIME YOU HAD SAID NO.

IN ALL SERIOUSNESS how could I have, using COMMON-SENSE, sought out Haddock WHEN ALL OF THE CRIMINAL ACTS THE GOVERNMENT THEMSELVES ADMIT ORIGINATED WITH ~~THE ACTUAL WITNESSES~~ (THE ACTUAL WITNESSES), OR (INFORMANTS)? The only way to sanction it is to completely ignore what is apparent on the face of the record itself, THE GOVERNMENT HIRED THE PERFECT INFORMANT AN ATTORNEY. THE PROBLEM IS THE

SPECIAL STATUS AN OFFICER OF THIS COURT IS ENTRUSTED WITH WAS THE ONLY REASON ATTORNEY HADDOCK WAS ABLE TO GATHER THE INCRIMINATING EVIDENCE, thus leading to the indictment itself.

UNDER NORMAL ~~circumstances~~ CIRCUMSTANCES this type of ABASEMENT against the CONSTITUTION would bring CRIMINAL CHARGES for all those involved. But Lady Justice EYES ARE UNBLINDED AS SHE CLOSES THE DOOR TO her SACRED TEMPLE WHEN AN AFRICAN AMERICAN INVOKES her AID. There is NO OTHER CONCLUSION to be DRAWN by the COURTS SILENCE AGAINST those earlier mentioned INVESTIGATORY tactics. Especially AS it RELATES to the April Trial Tr. 2259 That whole RUSE of using the Klu Klux Klan Act of 1871 to BAIT AND SWITCH the DEFENDANT INTO believing the SINCERITY of Attorney Haddock should have turned the STOMACH of the COURT INSTEAD it was SANCTIONED like the findings of the Dred Scott decision is still GOOD LAW in the DISTRICT COURT

Because I am a black man ASSERTING my inalienable RIGHTS I more than realize the DISTRICT COURT IS GOING TO VIOLATE F.R.C.P. 12 (d) AND NOT ISSUE FINDING OF FACTS to REFUTE these pleadings I still want to move the court to DISMISS the indictment based on the following also:

1.) LOSING the tapes from the Attorney-client rooms
At D.C.C. for a two-week period the law is clear

ONCE the tapes are made they have to be preserved.

2.) LISTENING to my privileged CONVERSATIONS with my ARIZONA retained attorney STEVE LEFEE AND RECORDING the CONVERSATIONS.

3.) FOR directing Haddock to tell jailers he was my attorney.

4.) FOR not correcting Haddock when Lead Investigator Stuck heard him on 5 different occasions tell me he was my attorney. (See December 2010 TRANS. pg 928)

5.) LOSING the 6-11-09 tape, Destroying the 7-6-09, 6-23-09, 9-11-09 & 9-18-09 RECORDINGS between Haddock and the defendants.

6.) Pointing me out to Mr. Felix AFTER a failure of proof in open court by witness Felix saying I was NOT in the courtroom.

7.) Directing Haddock to accept over \$22,500 in legal fees from me to gain the trust of the defendant to better investigate me.

Wherefore I pray the court dismiss the indictment based upon outrageous government conduct for Haddock was an AGENT of the government at all times mentioned here in.

Respectfully Submitted this 28th day of October 2011

Sharon Wilke

Certificate of Service

A copy was given to Susan Lehn at 1620 Dodge Omaha

Sharon Wilke

Shannon Williams
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51501

SENT FROM A JAIL FACILITY
CONTENTS NOT CENSORED

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